

OCT 12 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

RM 8535
~~RM 8012~~

REPLY COMMENTS

No. of Copies rec'd
List ABCDE

TABLE OF CONTENTS

SUMMARY	i
INTRODUCTION	1
I. THE COMMISSION SHOULD IMMEDIATELY ADOPT A REPORT AND ORDER IN THIS PROCEEDING IN WHICH IT ARTICULATES A SET OF NATIONAL NUMBER PORTABILITY PRINCIPLES	4
1. Demand Principle: <i>Number portability should be provisioned in response to market or competitive demand, not regulatory mandate.</i>	5
2. Cost Benefit Principle: <i>No portability solution, interim or permanent, should be implemented if the benefits of any such solution do not outweigh the costs.</i>	7
3. Non-Degradation Principle: <i>Existing services, features, and network performance characteristics of the PSTN must not be negatively impaired.</i>	8
4. Interim Solution Principle: <i>States may mandate flexible direct inward dialing, remote call forwarding, or their variants, in order to provide immediate service provider portability to facilitate competition in the local exchange market in advance of any Commission approved long term number portability solution.</i>	11
5. CMRS Principle: <i>CMRS should be excluded from interim portability arrangements.</i>	12
6. Participation Principle: <i>All segments of the industry should participate in the development of a uniform TNP solution and its associated administrative functions.</i>	13
7. Emergency Services Principle: <i>The effective operation 911 and E911 services must not be compromised.</i>	14
8. NANP Principle: <i>Scarce numbering resources must be conserved.</i>	14

9.	<i>Migration Principle: Mid-term solutions must not be adopted unless they reflect a clear and cost effective step toward a long term solution.</i>	15
10.	<i>SMS Principle: A Service Management System will be an integral part of a national, uniform number portability solution.</i>	16
11.	<i>Reciprocity Principle: Full reciprocity is the cornerstone of a permanent solution that does not disadvantage any carrier.</i>	17
12.	<i>Fair Competition Principle: No TNP solution should unfairly disadvantage any class of telecommunications service providers.</i>	18
II.	THE INDUSTRY SHOULD BE DIRECTED TO DEVELOP A SPECIFIC RECOMMENDATION FOR A PERMANENT SOLUTION WITHIN TWELVE MONTHS OF THE COMMISSION'S REPORT AND ORDER IN THIS PROCEEDING	19
III.	UPON RECEIPT OF THE ATIS RECOMMENDATION, THE COMMISSION SHOULD ISSUE A FURTHER NOTICE OF PROPOSED RULEMAKING SEEKING COMMENT ON THE LONG TERM SOLUTION AND RELATED ISSUES.	21
IV.	THE RECORD DOES NOT SHOW THAT THERE IS A DEMAND FOR PORTABILITY OF NON-GEOGRAPHIC NUMBERS	21
V.	THE COMMISSION SHOULD REJECT EFFORTS TO LINK LEC DEPLOYMENT OF NUMBER PORTABILITY SOLUTIONS TO ISSUES RAISED IN OTHER LEGISLATIVE AND REGULATORY PROCEEDINGS	22
	CONCLUSION	23

SUMMARY

The record in this proceeding reveals fundamental agreement across diverse industry segments on a number of core issues relating to geographic telephone number portability ("TNP"). There is widespread support for the Commission's assumption of a leadership role in the development of TNP in order to ensure that the interoperability and feature functionality of the public switched network will not be impaired, that telephone service will not be degraded, and that no class of telecommunications service providers will be unfairly disadvantaged.

BellSouth believes that, following its consideration of comments in this record, the Commission should issue a TNP Report and Order ("R&O") establishing an industry work group to develop a long term TNP solution and to report back to the Commission on the full range of the operational impacts of long term TNP implementation within twelve months. Upon receipt of the industry report, the Commission should issue a Further Notice of Proposed Rulemaking seeking comments on the status and adequacy of interim TNP measures, the industry's permanent TNP proposal, and related issues.

In the meantime, the Commission should avoid unnecessary jurisdictional conflicts, and their attendant delays, by allowing the states to continue to determine when to implement interim service provider TNP and when to

implement the TNP solution ultimately developed by the industry. In order to guide the states and the industry in their endeavors, the Commission's R&O should articulate a federal TNP policy through a set of overarching TNP guidelines. These guidelines should make clear that TNP should be provisioned in response to market or competitive demand; that TNP benefits must outweigh its costs; that existing services and features of the public switched network are not impaired; that interim TNP solutions are limited to remote call forwarding, flexible direct inward dialing, or their variants; that CMRS providers are excluded from interim TNP arrangements; that all segments of the industry participate in the development of a TNP solution; that existing 911 and enhanced 911 services are not impaired; that North American Numbering Plan resources are conserved; that mid-term solutions must not be adopted unless they are demonstrated to be a cost-effective step toward the long term solution; that a service management system will be an integral part of any long term solution; that TNP must be reciprocal among all involved carriers and that no carrier should be unfairly disadvantaged by any TNP solution.

Finally, the record in this proceeding demonstrates that there is no demand for non-geographic TNP.

OCT 12 1995

L COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of) CC Docket No. 95-116
)
Telephone Number Portability) RM 8012

REPLY COMMENTS

BellSouth Corporation and BellSouth Telecommunications, Inc., by counsel ("BellSouth"), submit their reply to the comments filed in this proceeding.

INTRODUCTION

Despite some differences of opinion that fall predictably along competitive lines, the comments in this proceeding reveal fundamental agreement across diverse industry segments on a number of core issues relating to geographic telephone number portability ("TNP").¹ BellSouth urges the Commission to pay particular attention to the common themes that emerge from the record, and to bear in mind that the implementation of a permanent TNP solution necessitates a fundamental restructuring of the public switched telephone network ("PSTN") and plain old telephone

¹ The diversity of the telecommunications industry is reflected in the comments filed by local exchange carriers and their associations, ("LECs") interexchange carriers and their associations ("IXCs"); competitive access providers and their associations ("CAPs"), wireless carriers and their associations; cable television companies and their associations; state regulators; federal agencies; public safety associations, equipment manufacturers, directory publishers and other interested parties.

service itself ("POTS"). The Commission now has a record from which to determine, broadly, where it wants to go with TNP. Under Commission oversight, it should be left to the industry to determine how to arrive, and to the states to determine when. The Commission's oversight will ensure that the universal interoperability and feature functionality of the PSTN will not be impaired, that POTS will not be degraded, that an effective solution will be adopted, and that no particular class of telecommunications providers will be unfairly disadvantaged.

In its Notice of Proposed Rulemaking ("NPRM"), the Commission discussed three types of TNP (service provider, service and location), two types of "solutions" (interim and permanent), and their applicability to two types of telephone numbers (geographic and non-geographic). The Commission further discussed specific types of TNP routing methodologies, and sought comment on a number of related issues such as cost recovery and the applicability of TNP to commercial mobile radio services ("CMRS"). Although the record reveals underlying agreement on a number of policy issues, the comments sometimes failed to distinguish between types of TNP, introduced new routing methodologies, and ranged across the board on technical, economic, timing and related issues. The disparate views on these topics and the fact that new issues were introduced underscores the point

made by a number of commenters that it is premature for a federal TNP mandate.²

Nevertheless, the widespread call for uniformity in a permanent solution,³ and the fact that various state TNP proceedings are advancing at a rapid, and not necessarily uniform pace, present the need for immediate Commission action. In recognition of the technical limitations of current interim service provider TNP solutions, the Commission should direct all segments of the industry to resolve the technical debate over TNP protocols and routing methodologies associated with long-term solutions as presented in this record and in ongoing industry fora. The Commission should therefore adopt, as soon as possible, a Report and Order ("R&O") which establishes an industry work group to develop a long term TNP solution and to report back to the Commission on the full range of the operational impacts of long term TNP implementation within twelve months. Upon receipt of the work group recommendations, the Commission should issue a Further Notice of Proposed Rulemaking seeking comments on the status and adequacy of interim TNP measures, the industry's permanent TNP proposal, and related issues. In the meantime, the Commission should avoid unnecessary jurisdictional conflicts, and their

² See infra p. 5 and note 6.

³ See infra p. 13 and note 22.

attendant delays, by allowing the states to continue to determine when to implement interim service provider TNP and when to implement the uniform solution developed by the industry. Focusing on the core TNP issues on which there is already broad industry agreement, the R&O should articulate a set of overarching TNP principles designed to guide the states and the industry in their endeavors.

I. THE COMMISSION SHOULD IMMEDIATELY ADOPT
A REPORT AND ORDER IN THIS PROCEEDING IN
WHICH IT ARTICULATES A SET OF NATIONAL
NUMBER PORTABILITY PRINCIPLES

Most commenters agreed that the Commission should exercise a leadership role in the development of a national number portability policy, and many provided guidelines or criteria that the Commission should adopt in an order concluding the NPRM.⁴ It is significant that many of these principles were commonly advocated by various segments of

⁴ See, e.g., Ad Hoc Coalition of Competitive Carriers ("Ad Hoc Coalition") Comments at App.; Ameritech Comments at 2-3; Bell Atlantic Comments at 12; Citizens Utilities Company ("Citizens") Comments at 9-10; MFS Communications Company, Inc. ("MFS") Comments at 11; NYNEX Telephone Companies ("NYNEX") Comments at 15-17; Pacific Companies ("Pacific") Comments at 9-11; Sprint Corporation ("Sprint") Comments at 15-16; Teleport Communications Group Inc. ("Teleport") Comments at 11; US West, Inc. ("US West") Comments at 15-20; United States Telephone Association ("USTA") Comments at 7-8.

the industry.⁵ BellSouth advocates the following to serve as the foundation for the FCC's fundamental principles:

1. **Demand Principle:** *Number portability should be provisioned in response to market or competitive demand, not regulatory mandate.*

Most commenters acknowledge the importance of markets in determining when, where and how number portability should be deployed. Regulatory intervention as a surrogate for actual market demand must be the option of last resort, and then only where a state commission determines, after appropriate proceedings, that such intervention is appropriate in order to facilitate competition in the local exchange markets. For these and other reasons raised by the comments, it is especially inappropriate for the Commission to mandate deployment nationally at this time.⁶

Although the evidence for consumer demand is equivocal, it is at least clear that those who intend to compete in the

⁵ It is further encouraging to note that many of the principles advanced by commenters accord with the portability principles developed through industry consensus by the Industry Numbering Committee Number Portability Workshop in early 1994.

⁶ See, e.g., Airtouch Paging/Arch Communications Group ("Airtouch") Comments at 3-8; Bell Atlantic Comments at 8; Cincinnati Bell Telephone Company ("CBT") Comments at 9; New York Dept. Pub. Ser. Comments at 1-2; National Exchange Carriers Association ("NECA") Comments at 2; National Telephone Cooperative Association ("NTCA") Comments at 3; NYNEX Comments at 2; Organization for the Protection and Advancement of Small Telephone Companies ("OPASTCO") Comments at 2-8; Pacific Comments at 12; TDS Telecom ("TDS") Comments at 1; USTA Comments at 9.

local exchange market consider the ability to port geographic telephone numbers from incumbent LECs essential in order to compete effectively. While location and service portability are viewed as potentially desirable, they are not viewed by new entrants as essential for facilitating competition in the local exchange market.⁷

As the comments by various state commissions, small and large LECs and industry associations demonstrate, the record does not establish a uniform national demand for service provider TNP.⁸ Indeed the record makes clear that vast geographic areas of the nation are not likely to attract competition and, consequently, neither consumer demand nor new competition demand for service provider TNP can reasonably be expected to exist.⁹

Because the ability of any given local exchange market to attract viable facilities-based competition and the

⁷ Ad Hoc Coalition Comments at 2-3, MFS Comments at 2. New entrants maintain that the implementation of service provider portability should not be delayed in order to provide both service and location portability in advance of any demonstrated market demand for the latter services. See, e.g., California Cable Television Ass'n Comments at 6.

⁸ Thus, it would be imprudent to adopt a proposal, such as that of MFS, in which service provider TNP is mandated arbitrarily in the largest 100 metropolitan statistical areas, regardless of the existence of competition or competitive demand. MFS Comments at 8-9.

⁹ See GNVW Inc./Management Comments at 1-3; NECA Comments at 2-3; NTCA Comments at 1-2; OPASTCO Comments at 2-6; TDS Comments at 2-3; US Intelco Networks, Inc. Comments at 5.

actual demand for service provider TNP will necessarily vary across the country, it is the proper role of the states to determine, through appropriate proceedings, when and where it is appropriate to mandate service provider TNP. To this end, BellSouth has been an active participant in state number portability proceedings. In the meantime, in recognition of the interstate effects that local number portability solution will have, the Commission must be prepared to preempt any state action which is not limited to those specific technical solutions which will facilitate the efficient and orderly migration to a permanent solution as markets may demand,¹⁰ or which prematurely imposes TNP on any segment of the industry which is not competing in the local exchange market.

2. **Cost Benefit Principle:** *No portability solution, interim or permanent, should be implemented if the benefits of any such solution do not outweigh the costs.*

Although the costs of TNP are unknown, they will likely be significant.¹¹ Contrary to the suggestion of some

¹⁰ These solutions are remote call forwarding ("RCF"), flexible direct inward dialing ("DID"), or their variants, such as the "Advanced Call Forwarding" variant of RCF as described by Bell Atlantic in its comments at pp. 4-7. See infra pp. 11-12.

¹¹ AT&T believes that the industry will collectively spend between \$1-\$2 billion. AT&T Corp. ("AT&T") Comments at 33, n.36. GTE believes it will spend that much (\$1.65 billion) on its network alone. GTE Service Corporation ("GTE") Comments at 14. Cf. America's Carriers Telecommunications Association ("ACTA") Comments at 11 (\$100 million, apparently for industry as a whole).

parties, the bulk of these costs would not occur as a normal course of business. Even carriers who are not yet participating in number portability, such as CMRS providers, will in fact bear economic burdens by the mere presence of ported calls in the PSTN. Thus, many parties correctly condition their support for TNP implementation upon a showing of a positive cost benefit analysis.¹² These comments demonstrate that portability will not be easily implemented and therefore should not be mandated until more information is available to determine the overall impacts, benefits and ongoing costs of deployment.

3. **Non-Degradation Principle:** *Existing services, features, and network performance characteristics of the PSTN must not be negatively impaired.*

BellSouth and others have adequately chronicled the potentially convulsive effects of a TNP solution on current PSTN systems, services and features. The industry should be directed to consider the full record developed in this proceeding as it develops a permanent solution, and to assess the specific impacts of any solution on Custom Local Area Signaling Services ("CLASS®"), other services (including law enforcement related services) and network performance. There are a number of features of the PSTN that may be negatively impacted by TNP, causing a degradation to POTS. CLASS® features present a number of

¹² See, e.g., Bell Atlantic Comments at 12, 15-19; CBT Comments at 9; NTCA Comments at 2; NYNEX Comments at 7.

unresolved interaction issues with TNP, particularly those having to do with the routing of specific signaling messages. Further industry work is required in this area to avoid the disabling of some CLASS® features on calls or attempted calls to portable numbers as many parties noted in their comments.¹³

Operator Service Systems ("OSS") will be impacted such that operator positions will need to be equipped, and specifications written, so that these positions will have access to the information stored in the TNP routing databases.

Calling card calls may be also be affected by TNP. When a calling card call is placed, a query is launched from the OSS to the appropriate Line Information Data Base ("LIDB") based on the first six digits of the billing number. If the billing number is a portable number, the six digit analysis performed at the Signal Transfer Point ("STP") could result in the query being sent to the wrong database.

"Smart" public telephones have programmed rating tables that may be affected by TNP. The technical impact of TNP on public telephones has not been adequately addressed, either

¹³ See, e.g. Bell Atlantic Comments at 12; Citizens Comments at 9; Nextel Communications, Inc. ("Nextel") Comments at 7; Pacific Comments at 29; SBC Communications, Inc. ("SBC") Comments at 17-18; TDS Comments at 8; US West Comments at 17.

in terms of the appropriate triggering mechanism or in terms of what additional information may have to be transported in the signaling messages.

The implementation of TNP has the potential to have significant impact on the network's performance. In particular, commenters have noted the potential for call set up delay as TNP is implemented.¹⁴ The implementation of TNP should, to the greatest extent possible, be transparent to end users from a network performance perspective.

Also, the non-degradation principle should apply to services regardless of their portability status. Within the CMRS network, the FCC-required roaming service, auto-registration capabilities, call completion service offerings, and back office systems will be impacted by TNP. The wireless industry's efforts to minimize fraud could also be set back by some portability architectures.

In order to ensure transparent PSTN call completion, appropriate technical and business arrangements between and among carriers must be effected before number portability is implemented.

¹⁴ Ad Hoc Coalition Comments at 7; Ameritech Comments at 11; ACTA Comments at 9; AT&T Comments at 16; Bell Atlantic Comments at 12; MFS Comments at 11; National Cable Television Association ("NCTA") Comments at 10; Nextel Comments at 7; Paging Network, Inc. ("PageNet") Comments at 11; PCS PrimeCo, LP ("PCS Primeco") Comments at 5.

4. **Interim Solution Principle:** States may mandate flexible direct inward dialing, remote call forwarding, or their variants, in order to provide immediate service provider portability to facilitate competition in the local exchange market in advance of any Commission approved long term number portability solution.

There is broad support for the implementation of immediate, or "interim" service provider portability solutions. Both flexible direct inward dialing and remote call forwarding are available on today's networks and allow service provider portability to be implemented immediately. There are, of course, recognized deficiencies with these interim solutions which are not essentially in dispute. Nevertheless, there is ample support in the record to permit their continued implementation.¹⁵ RCF, DID, and their variants are the only known acceptable, immediate interim solutions because they are the least expensive to implement, they cause the least impact on non-participants, and they mitigate the problems posed by different technical approaches to a permanent solution. By limiting interim solutions to these options, the Commission will prevent the untenable situation of carriers being required to deploy redundant and costly solutions that are not compatible with, or easily migratable to, more permanent solutions which

¹⁵ Florida Pub. Ser. Com. ("Florida") Comments at 3; Ohio Pub. U. Com. Comments at 4; Texas Pub. U. Com. Comments at 4; U.S. Airwaves Inc. ("US Airwaves") Comments at 6.

allow maximum flexibility.¹⁶ The Commission must be prepared to preempt the efforts of any state to impose other types of interim solutions. However, the decision to deploy RCF, DID or their variants, and the resolution of cost and other issues related to them, are properly left to the states.

5. **CMRS Principle:** *CMRS should be excluded from interim portability arrangements.*

The record supports BellSouth's position that, given the technical and economic concerns and the lack of market demand for service provider portability, CMRS should not be included in any interim solution.¹⁷ Instead, CMRS must fully participate in the industry's ongoing development of more permanent solutions that will allow all carriers to provide a full range of portability solutions as market demand arises.

¹⁶ Interconnection with Specialized Carriers in Furnishing Interstate Foreign Exchange (FX) Service and Common Control Switching Arrangements (CCSA), Memorandum Opinion and Order, 56 F.C.C. 2d 14, 19, para. 17 (1975) (requiring carriers to deploy expensive additional equipment simply because of jurisdictional conflicts would violate congressional mandate in Section 1 of the Communications Act).

¹⁷ Bell Atlantic/NYNEX Mobile, Inc. ("BA/NM") Comments at 2-4; California/Cal. Pub. U. Com. Comments at 7-8; Cellular Telecommunications Industry Association Comments at 8-10; PageNet Comments at 8-9; SBC Comments at 6-7.

6. **Participation Principle:** *All segments of the industry should participate in the development of a uniform TNP solution and its associated administrative functions.*

The diversity of comments received reflects the compelling necessity that all segments of the industry participate in and actively contribute to the development of a permanent solution that will not unduly burden any one industry segment.¹⁸ In order to assure the required interoperability, all interconnecting companies and other interested parties must participate in the design of the solution to ensure that it will meet their network and service needs.¹⁹ Thus, incumbent and alternative LECs, IXC's, CAPs, CMRS providers, information providers, enhanced service providers, directory publishers, public sector regulators and safety officials should all be adequately represented in industry efforts to achieve a rapid development of a permanent solution.

¹⁸ See supra p.1 and note 1.

¹⁹ Many commenters emphasized the need for uniformity or interoperability. See ACTA Comments at 7; Ad Hoc Coalition Comments at 8-9; BA/NM Comments at 5; Bell Atlantic Comments at 9-11; CBT Comments at 5-6; Ericsson Corporation ("Ericsson") Comments at 1-2; Florida Comments at 3; GO Comm. Comments at 2; Gen'l Ser. Adm'n Comments at 10; GTE Comments at 21; NCTA Comments at 4-5; Omnipoint Corporation Comments at 5; PageNet Comments at 5; PCS Primeco Comments at 8-9; Sprint Comments at 15; TDS Comments at 4; US Airwaves Comments at 4; US West Comments at 12-14; USTA Comments at 6.

7. Emergency Services Principle: *The effective operation 911 and E911 services must not be compromised.*

The number of comments focused on this issue reflects the public interest in maintaining the reliability of the PSTN and enhancing its most critical public interest function.²⁰ The Commission has earlier determined that broad availability of 911 and enhanced 911 services will best promote the safety of life and property through the use of wire and radio communication.²¹ The Commission must continue to ensure that effective operation of 911 services is not compromised by new developments in telecommunications.²² The public welfare must not be jeopardized by any degradation of existing emergency services, including the ability to pinpoint the origin of an emergency call.

8. NANP Principle: *Scarce numbering resources must be conserved.*

All efforts toward effecting a permanent solution must take into account actual use and projected demand for

²⁰ See, e.g., Ass'n Public-Safety Communications Officer's-International Comments at 2-3; Marion Co., Florida Comments at 1; National Emergency Number Ass'n Comments at 1-3; Texas Advisory Comm'n on State Emergency Communications Comments at 3-4; US West Comments at 18.

²¹ Revision of the Commission's Rules to Ensure Compatibility With Enhanced 911 Emergency Calling Systems, Notice of Proposed Rulemaking, 9 F.C.C. Rcd 6170, 6171-72 (1994) at para. 7.

²² Id. at 6170, para. 1.

geographic telephone numbers as they are currently administered under the North American Numbering Plan. Because the exhaustion of numbering resources can have significant impact on customers and network providers, the preferred TNP solution should maximize the efficient use of these resources.

9. **Migration Principle:** *Mid-term solutions must not be adopted unless they reflect a clear and cost effective step toward a long term solution.*

Some commenters have advocated that a mid-term solution should be developed prior to a permanent solution²³. Because the same industry resources will be required to develop a mid term or a long term solution, BellSouth urges the Commission to direct the industry to focus on achieving a permanent solution, and not to unduly prolong this process by unnecessary detours. Further, CMRS and other industry segments may be impacted by a mid-term solution even if telephone numbers on their network are not ported. Of course, in the event it can be demonstrated that certain drawbacks associated with interim solutions can, cost effectively, be minimized or eliminated prior to full implementation of a permanent portability solution, such enhancements or upgrades should be implemented. In the meantime, in order to facilitate the most rapid deployment of a full portability solution, neither mid-term nor near-

²³ AT&T Comments at 24, 31; Time Warner Communications Holdings, Inc. ("Time Warner") Comments at 11-14.

term solutions can be supported unless it can be clearly demonstrated that migration to the permanent solution will not be delayed and that deployment of a mid-term solution can withstand rigorous cost/benefit scrutiny.

10. SMS Principle: A Service Management System will be an integral part of a national, uniform number portability solution.

Comments in response to the NPRM reflect the focus of the industry thus far on technical TNP issues relating almost exclusively to routing methodology, e.g., the network routing address, carrier portability code, and split domain proposals. Issues arising from deployment of a service management system ("SMS") have yet to be given the attention they deserve. Yet TNP cannot be implemented without some method of ensuring that all participants receive timely, correct, consistent routing information on a routine and scheduled basis.

Several comments reveal general agreement that a service management system will be an integral part of a number portability solution.²⁴ There is further consensus that the SMS administrator must be an independent, neutral third party, and that the system itself should be jointly funded.²⁵ The critical function of the SMS cannot be

²⁴ AT&T Comments at 34, 36; MCI Telecommunications Corporation ("MCI") Comments at 28; SBC Comments at 23-24; US West Comments at 24-25.

²⁵ Citizens Comments at 15; MFS Comments at 12; Sprint Comments at 15-16.

overstated: the SMS is the depository for routing information on those numbers that have been ported within a specific portability area. Deployment of an SMS requires the development of an industry standard interface for downloading routing information to the participating service providers' routing database. Without the SMS the participating service providers would not have consistent information in their routing databases and calls to ported numbers could not be routed correctly. The interface to the participating service providers' routing databases needs to be an industry standard to keep costs from becoming excessive, the same reason there is a need for a uniform routing methodology for TNP. Security measures must also be considered in the provision of this standard interface.²⁶

11. **Reciprocity Principle:** *Full reciprocity is the cornerstone of a permanent solution that does not disadvantage any carrier.*

Portability must be reciprocal among all involved carriers. When local competition is authorized within a designated market, carriers competing in the market must all support subscriber requests for movement from one local service provider to another as well as requests to retain

²⁶ There is also a need to develop standard administrative guidelines for the impartial, competitively neutral administration of portable numbers. These guidelines could begin with the "Industry Guidelines for 800 Number Administration" as a basis, but would require possibly extensive additions and/or modifications since 800 is a specific service and TNP applies to POTS calls.

existing numbers. This movement may occur from the incumbent to a new entrant, from one new entrant to another, or from a new entrant to the incumbent. Accordingly, all carriers must support the provision of TNP capabilities whenever a permanent TNP solution is implemented in order to allow end-user subscribers to enjoy full freedom of choice in competitive markets.

12. Fair Competition Principle: *No TNP solution should unfairly disadvantage any class of telecommunications service providers.*

The principles enunciated in the Commission's Ameritech order are instructive for TNP: any permanent portability plan must be competitively neutral and not disadvantage any particular class of telecommunications carriers.²⁷ As an example, new entrants in the wireline local exchange market are expected to serve larger geographic areas with fewer switches. Such deployments will naturally expand the area over which these entrants can offer location portability, currently limited to the geographic area served by the central office related to the consumer's central office ("NXX") code. As this may well create actual market demand for an expanded location portability capability, it is imperative that the Commission ensure that no TNP solution operate to technically or financially preclude incumbent LECs from developing competitive capabilities. Thus, a

²⁷ Proposed 708 Relief Plan and 630 Numbering Plan Area Code by Ameritech - Illinois, Declaratory Ruling and Order, 10 FCC Rcd 4596 (1995).

permanent solution should accommodate or be easily evolvable to location and service TNP capabilities.

II. THE INDUSTRY SHOULD BE DIRECTED TO DEVELOP A SPECIFIC RECOMMENDATION FOR A PERMANENT SOLUTION WITHIN TWELVE MONTHS OF THE COMMISSION'S REPORT AND ORDER IN THIS PROCEEDING

The comments reflect that all of the technical solutions proposed to date present some problems to some segments of the industry. Several proposals are particularly problematic for CMRS providers. The record is thus clear that there is, at present, no ideal solution.²⁸ Commenters are generally in agreement, in light of this record, that the Commission should not select any particular technical solution or portability methodology at this time but rather defer the selection to the industry.

Record comments are virtually unanimous that the industry should be directly involved in developing a portability solution.²⁹ BellSouth believes that a specific

²⁸ Among those parties who specifically addressed the various technical proposals, it appears that the majority believe that the network routing address (location routing number) methodology provides the most flexible foundation in implementing a permanent TNP solution. See AT&T Comments at 15-16; MCI Comments at 15-16; SBC Comments at 21; US Airwaves Comments at 5-6.

²⁹ See, e.g., ACTA Comments at 7; Ameritech Comments at 4-5; AT&T Comments at 38-39; Bell Atlantic Comments at 19-21; U.S. Small Bus. Adm. Comments at 7; Ericsson Comments at 2; Nextel Comments at 9-10; OPASTCO Comments at 17-18; Pacific Comments at 12-13, n. 5; PageNet Comments at 6; Personal Communications Industry Association Comments at 3-

recommendation for a long term solution should be developed by the industry from within the Alliance for Telecommunications Industry Solutions ("ATIS"). In its Report and Order, the Commission should direct ATIS to examine all alternatives to date, including all new proposals contained in this record, and to make a recommendation to the Commission within twelve months from the date that the Report and Order in this proceeding is released. ATIS itself should determine how it will undertake its responsibilities, whether through the work of the Industry Numbering Committee or new subcommittees.³⁰ At all times, ATIS's efforts must comply with the broad principles and guidelines that the Commission should enunciate in its Report and Order. Particularly, the industry must determine where uniformity is required, where flexibility may be allowed, and how all types of portability can be accommodated. ATIS's efforts must further give comprehensive consideration to the cost and operational impacts of TNP on the public switched telephone network and POTS. Thus, included in the ATIS recommendation and its report to the FCC should be the industry's assessment of a

4; PCS Primeco Comments at 9; SBC Comments at 2-3; Sprint Comments at 14; Teleport Comments at 14-15; US West Comments at 14-15; USTA Comments at 4-5.

³⁰ Because of the significant impact of TNP on CMRS providers, BellSouth believes that ATIS should specifically seek the participation of wireless carriers.